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| Eingereichte Unterlagen | Items filed | Pièces envoyées | |
| 1 | Anmeldungs- (und Direktions-*) Nr./Patent Nr. Application (and Directorate*) No./Patent No. N de la demande (et de la direction*)/n du brevet | Ihr Zeichen Your reference Votre référence | ggfs. Art und Datum der Unterlagen** Nature and date of items (optional)** Nature et date des pièces (facultatif)** |
| 2 | PCT/EP2005/012189 | PCT 21.1185 | Letter of response to PCT written opinion including fig 1 |
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* falls bereits bekannt

** Der Eingang der angegebenen Unterlagen wird bestätigt.
Enthält diese Spalte keine Eintragungen, so wird lediglich bestätigt, daß eine Sendung zu dem angegebenen Aktenzeichen eingegangen ist.

* if already known

** The receipt of the items indicated is confirmed.
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**International Preliminary
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EUROPEAN PATENT OFFICE**
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Clamart, October 20, 2005

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International Filing Date: 26/10/2004
Our Ref: WO 21.1185

Dear Sirs,

I refer to the written opinion dated October 25th, 2005 and enclose herewith comments of the Applicants.

The Examiner has cited against the current patent application applicant's prior art D1: WO 01/70646 related to a cement composition suitable for high temperatures.

To determine novelty of the current patent application and because the first claim corresponds to selection invention regarding D1, each of the three criteria defined by EP guidelines (C, IV, 7.7(ii)) has to be satisfied. Figure 1 shows the comparison between instant first claim (red triangles) and prior art's claims (black triangles). The three criteria apply: the selected sub-range is narrow compared to the known range; the selected sub-range is sufficiently far removed from any specific examples disclosed in the prior art (# 1, 2, 3 and 7 examples shown with arrows) and from the end-points of the known range; the selected range is not an arbitrary specimen of the prior art (see current patent application page 4, paragraph 16). Effectively, the new technical teaching is the fact that when the cement is heated at higher temperature up to 1200°C, anorthite, grossular and wollastonite become the main stable binders of the set cement. Therefore, cement compositions made in triangles anorthite/grossular/wollastonite and also for lower temperature anorthite/grossular/quartz

remain stable. The first claim of the current patent application is novel and depending claims also.

Further, nothing in D1 suggests to interest on cement compositions made in triangles anorthite/grossular/wollastonite and anorthite/grossular/quartz; and no teaching on phase stability at higher temperatures of those compositions is present. Therefore, first claim involves an inventive step and dependent claims also.

It is believed that in view of those comments a favourable preliminary examination report will be established.

Yours faithfully,



Hélène Raybaud
European Patent Attorney

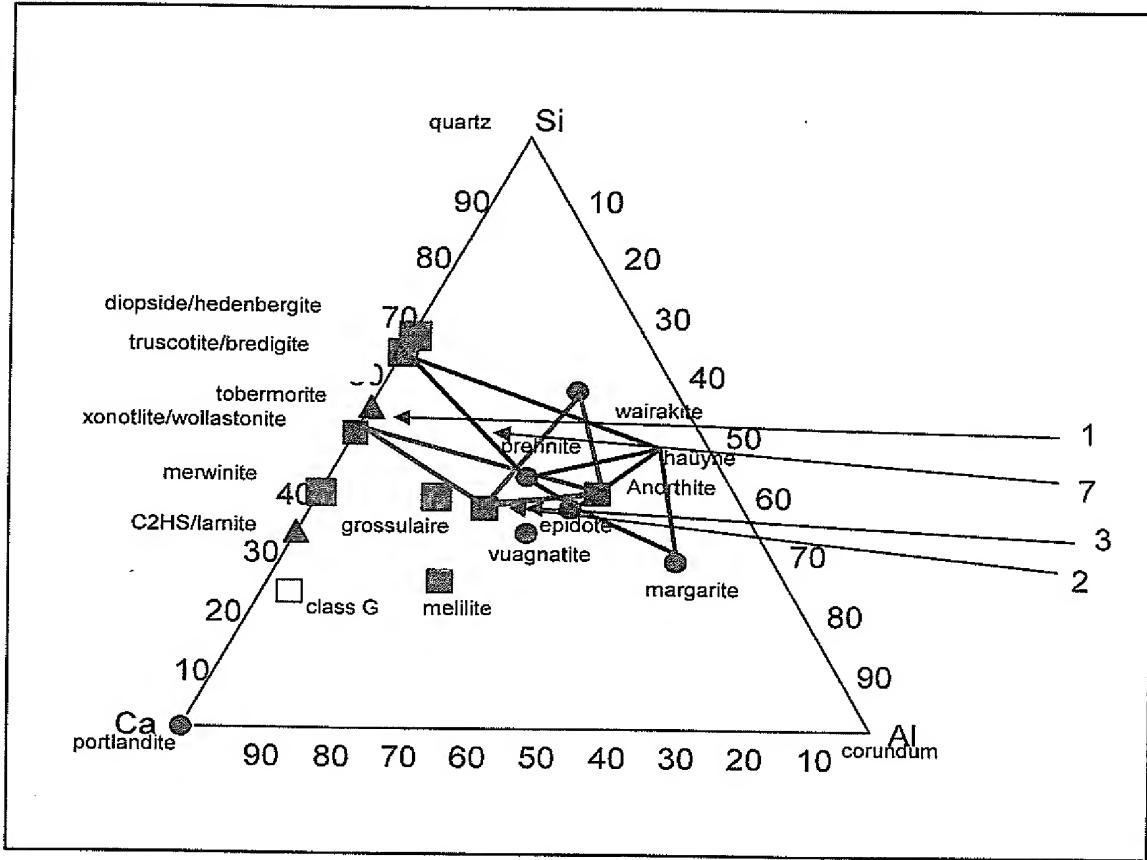


Figure 1